

1975
REPORT
OF THE
LEGISLATIVE
STUDY COMMISSION
TO
EVALUATE THE STATE
TEXTBOOK COMMISSION



1975 REPORT

LEGISLATIVE STUDY COMMISSION

TO EVALUATE THE STATE TEXTBOOK COMMISSION



STUDY COMMISSION TO EVALUATE THE STATE TEXTBOOK COMMISSION

NORTH CAROLINA STATE LEGISLATIVE BUILDING
RALEIGH, 27611
829-5628

George S. Willard
Chairman
P.O. Box 1459
Wilson, N.C. 27893

January 15, 1975

Dr. Robert Nelson
V. Chairman
P.O. Box 110
Graham, N.C. 27253

To The Governor:

The Commission to Evaluate The State Textbook Commission hereby submits to Governor James E. Holshouser, Jr. for transmittal to the 1975 Session of the General Assembly its findings and recommended legislative changes in the present statutes dealing with the composition and duties of the State Textbook Commission.

This report is submitted pursuant to Resolution 176 of the 1973 General Assembly, Second Session 1974 (Senate Joint Resolution 1479) which directed the Commission "to consider legislation regarding what changes, if any, should be made in the present statutes dealing with the composition and duties of the Textbook Commission" and to make its report to the Governor for transmittal to the 1975 Session of the General Assembly.

Respectfully submitted by:

Members of the Study Commission

Mr. George S. Willard, Chairman
Dr. Robert Nelson, Vice Chairman
Senator Dallas L. Alford, Jr.
Senator Luther J. Britt, Jr.
Representative Samuel D. Bundy
Representative Jeter L. Haynes
Mrs. Carolyn H. McGee
Mrs. Joyce Wasdell
Mr. William T. Brown
Mrs. Mildred Strickland

A handwritten signature of George S. Willard in dark ink, written in a cursive style.
George S. Willard
Chairman

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LEGISLATIVE STUDY COMMISSION
REPORT OF THE COMMISSION
TO EVALUATE THE STATE TEXTBOOK COMMISSION

I. THE COMMISSION AND ITS WORK

By Resolution 176 of the 1973 General Assembly, second session 1974 (Senate Joint Resolution 1479) the Commission to Evaluate The State Textbook Commission was created to consider legislation regarding what changes, if any, should be made in the present statutes dealing with the composition and duties of the Textbook Commission. A copy of Resolution 176 is attached as Appendix A to this report.

Pursuant to the directives in Resolution 176, the Commission to Evaluate The State Textbook Commission was appointed to study the question and to make a report to the Governor by January 15, 1975. The Commission consisted of Senator Dallas L. Alford, Jr., Senator Luther Britt, Jr., Representative Samuel D. Bundy, Representative Jeter L. Haynes, Mr. George S. Willard, Chairman, Mr. William T. Brown, Mrs. Carolyn H. McGee, Dr. Robert Nelson, Vice Chairman, Mrs. Mildred Strickland and Mrs. Joyce Wasdell.

The Commission conducted public hearings at four separate meetings at which the following persons were heard:

Mr. Bruce Ayscue, Secretary-Treasurer, North Carolina Bookmen's Association, Raleigh, North Carolina;

Mrs. Jeanne Brown, Secretary, State Board of Education;

Dr. Charles F. Carroll, Past State Superintendent of Public Instruction;

Dr. A. C. Dawson, President, North Carolina Association of Educators;

Dr. Raleigh E. Dingman, Executive Secretary, North Carolina School Boards Association;

Mr. A. C. Davis, Controller, State Board of Education;

Mrs. Carolyn Hawley, Coordinator, Ad Hoc Committee For The Improvement of The North Carolina Textbook Process, 1006 Lamond Avenue, Durham, North Carolina 27701;

Rev. E. T. Iseley, Pastor, Trollingwood Baptist Church, Box 477, Haw River, North Carolina;

Mr. George Lewis, President, Association of Classroom Teachers, NCAE;

Mr. Marshall Long, Past President, North Carolina Bookmen's Association, Raleigh, North Carolina;

Mrs. Helen Pratt, Director, League of Women Voters, Durham, North Carolina;

Dr. A. Craig Phillips, State Superintendent of Public Instruction;

Ms. Miriam K. Slifken, Coordinator, National Organization for Women, Chapel Hill, North Carolina;

Student Groups, New Hanover High School and Hoggard High School, Wilmington, North Carolina;

Mr. Christopher Scott, Director, Research and Education, State AFL-CIO, Raleigh, North Carolina;

Mr. Claude Warren, Director, Division of Textbooks, State Board of Education;

Mrs. Joyce Wasdell, Chairman, State Textbook Commission, Durham, North Carolina.

In addition, Mrs. Jeanne Brown and Mr. Claude Warren were asked by the Commission to attend and participate in the meetings. At the direction of the Commission, letters of invitation were sent to:

Mr. Phillip J. Kirk, Jr., Assistant to the Governor;

Mr. Clark Pennell, Division of Principals, NCAE;

Miss Lucille Bazemore and Mrs. Josephine Spaulding, Co-Presidents, Division of Supervisors, NCAE;

Mr. Young H. Allen, Division of Superintendents, NCAE;

A national survey was made to determine how many states were using a Textbook Commission or a similar body to select textbooks and the

organization and duties of that body in the different states. A copy of QUESTIONNAIRE ON TEXTBOOKS is attached as Appendix B to this report.

II. FINDINGS

1. Appointment Procedure

Pursuant to GS 115-206.3, the State Superintendent of Public Instruction recommends and the Governor Appoints a Textbook Commission. On the basis of an opinion rendered by the Attorney General's Office, the Commission has concluded that GS 115-206.3 does not restrict the Governor in making appointments to the Textbook Commission to recommendations submitted by the State Superintendent of Public Instruction.

2. Duties

Pursuant to GS 115-206.4, the members representing the elementary level are required to evaluate, examine, and file written reports for each book offered for adoption on the elementary level; the members representing the secondary level are required to evaluate, examine, and file written reports for each book offered for adoption on the secondary level.

The Commission has conferred with the Attorney General's Staff and has concluded that GS 115-206.4 does not prohibit a member from evaluating, examining, and filing a written report for a textbook for which he is not statutorily responsible.

3. Present Procedure

Under the present system, the State Superintendent of Public Instruction recommends and the Governor appoints a textbook commission of twelve persons who serve for four years. The Commission consists of five persons from the secondary level, six persons from the elementary level, and one superintendent.

The members representing the elementary level evaluate, examine, and file signed written reports with the State Board of Education for all books offered for adoption on the elementary level; the members representing the secondary level evaluate, examine, and file signed written reports for all books offered for adoption on the secondary level.

4. Effectiveness of Existing Procedure

The Commission found no significant dissatisfaction with the organization, composition, and operations under the present system.

III. REASONS FOR CHANGING EXISTING STRUCTURE

Even though the Textbook Commission has functioned successfully in the past and the present Textbook Commission is doing an outstanding job, the Commission recognizes that the evaluation process is becoming more complex and the work load is steadily increasing due to the change from the single adoption of textbooks to the multiple adoptions of textbooks to meet the demands of the expanding curriculum. Since the textbook is a very important instructional tool, the Commission feels that the Textbook Commission should be expanded to assure the continued selection of quality textbooks; that at least one person from each of the eight educational districts should be appointed to the Textbook Commission to secure representation from the geographic regions of the State.

The possibility of providing for lay representation on the Textbook Commission was given serious consideration. The Commission found that lay persons already serve as advisors to Textbook Commission members in textbook evaluations and that the State Board of Education, primarily a lay group, is the final authority in all state textbook adoptions. The Commission concluded that the most effective method of providing for a broad representation of lay opinion in textbook evaluations would be to mandate the use of lay advisors by Textbook Commission members. The Commission concluded further that only professional educators should be appointed to the Textbook Commission.

The Commission recognizes the desirability of placing on each Textbook Commission some members who have served on a former Textbook Commission. Although GS 115-206.3 does not prohibit the recommendation and appointment of members who have served on a prior Textbook Commission, the Commission feels that a minimum number of reappointments should be specified in the General Statutes.

The Commission is aware that the citizens of this State desire to be assured that textbooks used in the schools cover the subject matter they purport to cover as well as provide adequate representation of sex roles, ethnic groups, and moral philosophy.

The Commission feels that the statutes regulating the composition and duties of the Textbook Commission should be rewritten to conform with the current practices and to meet the present needs in selecting textbooks.

IV. RECOMMENDATIONS

1. General Considerations

The Commission considered and discussed thoroughly the possibility of expanding the definition of a "textbook" to include supplementary materials; this change would have allowed supplementary material which complements a textbook to be purchased with the textbook from the textbook fund. The Commission is aware that the General Assembly appropriates two funds for educational tools, one for textbooks and one for instructional materials. The Commission concluded that this system should be continued. Recognizing the need for more supplementary materials in the schools of this State, the Commission recommends that the General Assembly, State Board of Education, North Carolina Association of Educators, and all other groups concerned with education work to increase monies appropriated for instructional materials.

2. Recommended Legislation

We recommend that GS 115-206.3 should be rewritten to provide for the creation of a State Textbook Commission consisting of sixteen members; ten members shall be classroom teachers and six members shall be school administrators and curriculum specialists. One teacher shall be appointed from each of the eight educational districts; eight members shall be appointed at large. At least two members, one from the elementary level and one from the secondary level, shall have had prior service on a former State Textbook Commission.

The State Superintendent of Public Instruction shall nominate and the Governor shall appoint members to the Textbook Commission for a term of four years.

Consideration in making recommendations and appointments should be given to the competence of a person to serve, the distribution of grade levels and subject areas, and representation by ethnic groups and sexes.

We further recommend that GS 115-206.4 should be rewritten to provide for members to evaluate textbooks for which they are not statutorily responsible. In the evaluation process, the Commission shall be required to use advisors; such advisors shall include lay persons. A draft of a bill to accomplish these recommendations is attached as Appendix C to this report.

GENERAL ASSEMBLY OF NORTH CAROLINA

1973 SESSION (2nd SESSION, 1974)

RATIFIED BILL

RESOLUTION 176

SENATE JOINT RESOLUTION 1479

A JOINT RESOLUTION CREATING A STUDY COMMISSION TO EVALUATE THE STATE TEXTBOOK COMMISSION.

Whereas, the State Board of Education, upon the recommendation of the Textbook Commission, must select and determine which textbooks are going to be used in the public schools of this State; and

Whereas, the Textbook Commission plays a most important and significant role in reviewing textbooks and recommending to the State Board of Education which textbooks are most appropriate for use in the public schools of this State; and

Whereas, the role of the Textbook Commission is so vital and important to the ultimate education and welfare of the youth of our State that any changes in the composition and duties of the Textbook Commission should be made only after careful reflection and review;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. There is hereby created a Legislative Study Commission to consider legislation regarding what changes, if any, should be made in the present statutes dealing with the composition and duties of the Textbook Commission.

Sec. 2. The Commission shall be composed of 10 members, two of whom shall be members of the Senate, appointed by the President of the Senate, and two of whom shall be members of the

House of Representatives, appointed by the Speaker of the House. Two of the members of the Commission shall be appointed by the Governor, two by the State Board of Education and two by the State Superintendent of Public Instruction. The Commission shall elect a chairman and other officers from the membership of the Commission. Any vacancies occurring on the Commission shall be appointed by the individual or board making the initial appointment.

Sec. 3. The members of the Commission shall receive per diem, subsistence and travel allowances as other boards and commissions of the State while engaged in the performance of their duties. All expenses of the Commission, including the cost of preparing and printing its findings and recommendations, shall be paid from the Contingency and Emergency Fund.

Sec. 4. The Commission shall make its report to the Governor on or before January 15, 1975, and the Governor shall transmit the report to the 1975 Session of the General Assembly.

Sec. 5. This resolution shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 12th day of April, 1974.

JAMES B. HUNT, JR

James B. Hunt, Jr.

President of the Senate

JAMES E. RAMSEY

James E. Ramsey

Speaker of the House of Representatives

QUESTIONNAIRE ON TEXTBOOKS

*(18 States Responding)

November 12, 1974

1. Do you have a Textbook Commission and/or Committees to review textbooks?
 - 11 - Committees
 - 2 - Commissions
 - 5 - Both
2. Who or what governmental body appoints it?
 - 10 - State Board of Education
 - 3 - Governor
 - 1 - State Superintendent
 - 4 - Combinations (governmental bodies)
3. Duration of appointments: 6 Months to 6 Years
4. Per capital appropriation for textbooks (yearly average):
 - None (local funds or otherwise) to \$11.00 (some states allot all funds in one total--books, teachers, etc.)
5. Are districts allowed to use textbook funds for purchasing of supplementary materials?
 - 6 - Yes
 - 8 - Yes (with restrictions)
 - 3 - No
 - 1 - No answer
6. Have you attempted to define the textbook? (definitions attached to some forms)
 - 11 - Yes
 - 2 - NASTA Definition
 - 5 - No
7. Do you provide funds for educational materials other than textbooks?
 - 7 - Yes
 - 8 - No
 - 2 - With Restrictions
 - 1 - No Answer

If so, how much?

From \$1.36 to 20 per cent of allotment
8. Do you allocate cash to Districts?
 - 5 - Yes
 - 13 - No

SEE ATTACHMENT FOR REMARKS FROM VARIOUS STATES

*Members of the National Association of State Textbook Administrators

ALABAMA -- Question 5: Yes, after all basic needs have been met.

Question 6: Textbook definition - The textbook shall mean printed instructional material in bound form the content of which is properly organized and intended for use in elementary or high school curricula.

ARKANSAS -- Question 5: Yes, after they fill their needs with the basal books.

Question 7: Yes, amount left after buying basal books.

Question 8: Yes, based on days belonging.

Remarks: Program is working well.

CALIFORNIA -- Question 7: Yes - not appropriated as such.

Question 8: Yes - 50 cents per Average Daily Attendance.

Remarks: Don't imitate us. Our law and system are clumsy, inefficient, and inappropriate. Imitate Texas.

FLORIDA -- No Comments

GEORGIA -- Question 6: Definition (unofficial) - That body of basic materials essential to the completion of a Course of Study.

Question 4 & 5 (Remarks): The appropriation for instructional materials in Georgia no longer specifies an amount per pupil for textbooks. We currently allocate \$260 per State allotted teacher to be used for the purchase of textbooks, library media, and supplementary materials (workbooks, lab manuals, etc.)

IDAHO -- Question 4: Local school districts purchase their own textbooks from school district funds.

Question 6: Definition - Basic materials -- Materials which are intended to serve as a base for instruction of all students involved in an area of adoption in local school districts.

KENTUCKY -- Question 6: Definition - A "textbook" is a printed instructional material in bound form, the content of which is properly organized and intended for use in the elementary or high school curricula. The courts have held that a "book" does not refer to the mere physical object, but rather to the subject matter which was embodied in the book. The word "book" means an assembly or concourse of ideas expressed by words, and physical arrangement is secondary. If the physical arrangement involves one or more printed documents it may be referred to as a program.

NOTE: The above definition of a textbook has been derived from opinion by the Kentucky Attorney General and the National Association of State Textbook Administrators.

LOUISIANA -- Question 2: The appointments are made from the recommendations submitted by the parish superintendents of education and university presidents.

Question 4: Based on registration figures of 1,027,750 for the session 1973-74. Subject to change each year. 1973-74 allotment was \$5.25 per pupil.

MISSISSIPPI -- Question 5: Only if on approved list of textbooks.
Question 6: Definition - Basically accepted only hard back books, but in 1972 accepted some kits in special education and soft backs in alternate areas.
Remarks: Mississippi operates under a separate department of the State. The Board is made up of the Governor, State Supt. of Education and three appointed members by the Governor--one from each Supreme Court District of the State. The Rating Committees are appointed for each adoption--seven members for each area of the adoption--four appointed by the Governor and three by the State Supt. of Education. This year we have 56 members working in the areas of Social Studies, Business Education, Homemaking, Music, Art and related Special Education. The Rating Committees make the recommendation to the Board, the Board makes the adoption and the contract is signed by the Governor.

NEVADA -- Question 4: None - districts purchase from overall Fund with no limits.
Question 6: Definition - None satisfactory - basic textbook determined by district per their use and pilot procedures.

NEW MEXICO -- No Comments

OKLAHOMA -- Question 5: Yes, only if every student has a currently adopted textbook in every class in which he is enrolled.
Question 6: Definition - School Laws of Oklahoma states: "The words 'Textbook' or 'book' as used in this Article shall include all printed materials intended for use in teaching. . ."

OREGON -- Question 6: Definition - In the law where the word textbook is used, it may be construed to mean textbooks and instructional materials.

SOUTH CAROLINA -- Question 4: We furnish books, not money.
Question 6: We use the term "Basal Textbook".
Remarks: If the evaluation Comm. recommends expendable material or other excessively expense programs that we do not think should be publically financed, we request the Board to specify "for purchase only" if they approve the Comm. report. So far, this has worked. Such adoptions get almost no business.

TENNESSEE -- Question 7: \$2.00 per pupil on Average Daily Attendance basis for instructional materials.
Remarks: The State Department of Education is requesting a \$2.00 per pupil increase in free textbook funds as well as \$2.00 per pupil increase in instructional materials funds. The proposed legislation of the Tennessee Education Association includes a \$2.00 per pupil increase in instructional materials.

TEXAS -- Question 5: No, all purchases and payments are made by the Textbook Division -- schools handle no money.

Question 6: For Kindergarten only.

Definition - T. E. C. 1204 (b). Textbooks for children enrolled in Kindergarten classes.

(b) For purposes of this section, "textbooks" means books and any apparatus, including three-dimensional manipulative materials, which convey information to the scholastic or otherwise contribute to the learning process. The Central Education Agency shall establish guidelines clearly delimiting the types of material most effectively used in helping kindergarten children learn and most appropriately delimiting the definition of the term "textbooks" for the purposes of this section.

UTAH -- Question 4: Textbooks are adopted by the State but purchased by local districts.

Question 5: Only if listed in the State adoption list.

Question 6: Yes, the definitions are being reviewed and probably revised.

Definition - ". . . include not only the traditional hard-bound printed volumes but also any organized systems or learning packages which may constitute the instructional vehicles for a given course, subject, or grade level."

Remarks: We have a State supported minimum school program to aid all districts. Funds are utilized for all aspects of school operation -- capital outlay, maintenance and operation, etc.

VIRGINIA -- Question 4: \$1.00 State Funds -- rest is local funds. (Local Control)

SHORT TITLE: APPOINTMENT AND EVALUATION PROCEDURE

A BILL TO BE ENTITLED

AN ACT TO REWRITE THE APPOINTMENT AND EVALUATION PROCEDURES
FOR THE STATE TEXTBOOK COMMISSION

The General Assembly Enacts:

G.S. 115-206.3 as it appears in the cumulative supplement to Volume 3A is hereby rewritten as follows:

"G.S. 115-206.3. Appointment of Textbook Commission.

There is hereby created the State Textbook Commission consisting of sixteen members who shall hold office for four years or until their successors are selected and qualified. The Commission shall be appointed pursuant to the following formula:

five elementary teachers;
five secondary teachers;
one elementary principal;
one secondary principal;
one elementary curriculum specialist;
one secondary curriculum specialists, and
two persons from the superintendent, associate or assistant superintendent level.

One teacher shall be appointed from each of the eight educational districts. Eight members shall be appointed at large. No more than three members shall be appointed from any one educational district. At least two members, one representing the elementary level and one representing the secondary level shall have served on a former State Textbook Commission.

The State Superintendent of Public Instruction shall nominate before February 16, 1977 and every four years thereafter, persons pursuant to the above formula, to be considered for membership, on the State Textbook Commission. The Governor shall appoint, before April 16, 1977 and every four years thereafter, sixteen persons to the State Textbook Commission pursuant to the above formula. The Governor shall fill all vacancies by appointment for the unexpired term pursuant to the above formula. The Commission shall elect a Chairman subject to the approval of the State Superintendent of Public Instruction.

Competence to serve effectively as a commission member shall be the prime requisite for nominations and appointments to the State Textbook Commission, but such nominations and appointments should ensure an appropriate distribution of grade levels and subject areas, and representation by ethnic groups and sexes.

Members of the commission shall receive subsistence, per diem, and travel allowances at the rates set forth in G.S. 138-5(b) for members of state boards, commissions, and committees."

Sec. 2 G.S. 115-206.4 as it appears in the cumulative supplement to volume 3A is hereby rewritten as follows:

"G.S. 115-206.4. Commission to Evaluate Textbooks Offered for Adoption. --The commission members representing the elementary level shall evaluate all textbooks offered for adoption on the elementary level; the commission members representing the secondary level shall evaluate all textbooks offered for adoption

on the secondary level. However, the commission or as many commission members as the chairman considers advisable may evaluate any textbook or series of textbooks offered for adoption provided not less than seven members shall be involved during any adoption.

The State Textbook Commission shall use advisors in each textbook adoption; such advisors shall include representatives of the lay public.

Each member shall examine carefully and file a signed written evaluation of each book offered for adoption for which he is responsible with the State Board of Education not later than a date fixed by the Board when the call for adoption is made.

The evaluation report shall give special consideration to the suitability of the book to the instructional level for which it is offered, the content or subject matter, and other criteria prescribed by the board."

Sec. 3. This act shall become effective upon ratification.



North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh 27611

SENATOR DALLAS L. ALFORD, JR.
7TH DISTRICT
HOME ADDRESS: 100 WILDWOOD AVENUE
ROCKY MOUNT, N. C. 27801

January 3, 1975

COMMITTEES:

EDUCATION, CHAIRMAN
ELECTION LAWS, VICE CHAIRMAN
AGRICULTURE
COURTS AND JUDICIAL DISTRICTS
FINANCE
HIGHER EDUCATION
INSURANCE
JUDICIARY II
TRANSPORTATION
WILDLIFE

Mr. George Willard, Chairman
Commission to Study the North Carolina
State Textbook Commission
Legislative Building
Raleigh, North Carolina 27611

Dear Chairman Willard:

Consistent with our already expressed views on the composition of the North Carolina Textbook Commission, we are enclosing with this letter a proposed minority report to be added to the report of the Commission to Study the North Carolina State Textbook Commission.

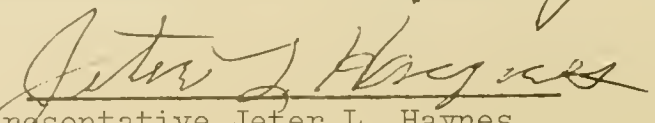
We feel that the Study Commission has accomplished a great deal during the past few months of work and study, and we endorse the recommendations of the Study Commission majority, except that we feel that there should be some representation on the Textbook Commission by members of the general public who are not professional educators. The enclosed minority report attempts to set out our views on this subject only, and it should in no way be taken as a criticism of the other fine work of the Study Commission.

We feel that current examples of unrest in other states make it apparent that there should be some public input into the selection of textbooks.

Yours truly,

MEMBERS OF THE COMMISSION TO STUDY
THE NORTH CAROLINA STATE TEXTBOOK
COMMISSION:


Senator Dallas L. Alford, Jr.


Representative Jeter L. Haynes

MINORITY REPORT

COMMISSION TO STUDY THE NORTH CAROLINA STATE TEXTBOOK COMMISSION

(Authorized by Resolution 176 of the 1973 North Carolina General Assembly, Second Session 1974)

I. Study Commission Charge

The resolution establishing this Study Commission directed its members "to consider legislation regarding what changes, if any, should be made in the present statutes dealing with the composition and duties of the Textbook Commission."

II. Position of the Majority

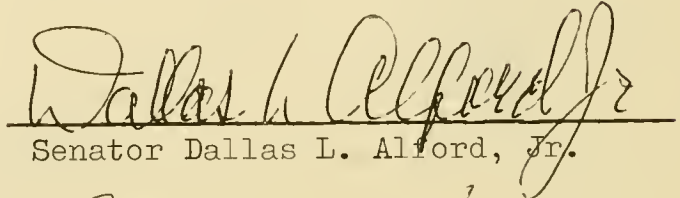
The majority of the members of the Study Commission have concluded that the composition of the present Textbook Commission should be modified, enlarging the membership from twelve to sixteen and retaining the present requirement that all members be professional educators. A minority of the members of the Study Commission feels that there should be further modification.

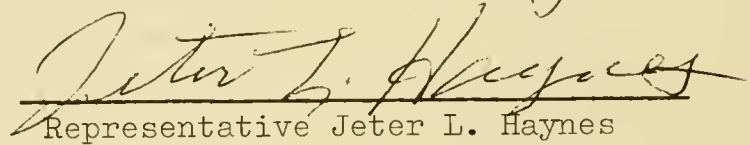
III. Views of the Minority

A minority of the members of the Study Commission feels that there should be some representation on the Textbook Commission by members of the general public who are not professional educators. The minority recommends that the membership of the Textbook Commission be enlarged past the

majority's recommended sixteen professional educators, with the addition of two lay-members not currently working in any part of the education profession.

Respectfully submitted:


Senator Dallas L. Alford, Jr.


Representative Jeter L. Haynes

